

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

IN RE:	§	
	§	
ALLIANCE MASONRY, INC.	§	CASE NO. 24-10310
	§	CHAPTER 7
DEBTOR	§	

**MOTION TO SELL PERSONAL PROPERTY PURSUANT TO**  
**11 U.S.C. §363(f) FREE AND CLEAR OF LIENS AND ENCUMBRANCES**  
**(Scaffolding)**

**Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/or legal basis for opposing the relief.**

**No hearing will be conducted on this Motion/Objection/Application unless a written objection is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE shown in the certificate of service unless the Court shortens or extends the time for filing such objection. If no objection is timely served and filed, this pleading shall be deemed to be unopposed, and the Court may enter an order granting the relief sought. If an objection is filed and served in a timely manner, the Court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your objection may be stricken. The Court reserves the right to set a hearing on any matter.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE PRESIDING:

COMES NOW, Stephen J. Zayler the duly appointed and acting Chapter 7 Trustee in the above-entitled and numbered bankruptcy proceeding pursuant to 11 U.S.C. §363(f) showing the Court as follows:

1. The Debtor filed a Chapter 7 proceeding on July 22, 2024, and Stephen J. Zayler was appointed to serve as the Chapter 7 Trustee.
2. The Debtor owns as part of its bankruptcy estate scaffolding.
3. The Trustee has received an offer from Daniel Zimmerman for One Thousand Five Hundred and no/100 Dollars (\$1,500.00).

4. The Trustee desires to accept the offer and sell the personal property described as scaffolding to Daniel Zimmerman, PO Box 10771, Beaumont, TX 77720 for the agreed consideration, in accordance with *11 U.S.C. Section 363(f)(2)(3) and (5)*, free and clear of all liens and encumbrances; provided that if liens in appropriate priority should arise, that those liens shall be paid from the proceeds of sale upon the proper application or applications. No liens or encumbrances are known to the Trustee.

5. This is a sale “as is, where is”, without warranty for the described property.

WHEREFORE, PREMISES CONSIDERED, the Trustee requests this Court to enter an Order approving the sale of the scaffolding, as described above for the total sum of \$1,500.00 to DANIEL ZIMMERMAN in accordance with the provisions of this Motion; and for such other and further relief as is just.

Respectfully submitted,

/s/ Stephen J. Zayler  
STEPHEN J. ZAYLER  
Chapter 7 Trustee  
State Bar No. 22251800  
123 E. Lufkin Avenue  
P. O. Box 150743  
Lufkin, TX 75915-0743  
Phone: (936) 634-1020  
Fax: (936) 634-1050  
E-mail: [zayler@suddenlinkmail.com](mailto:zayler@suddenlinkmail.com)

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 13<sup>th</sup> day of November, 2024, a true and correct copy of the foregoing document was served on the attached matrix by electronic means or by depositing the same in the U.S. Mail.

/s/ Stephen J. Zayler  
Stephen J. Zayler